

NOTICES OF RULEMAKING DOCKET OPENING

The Administrative Procedure Act (APA) requires the publication of Notices of Rulemaking Docket Opening when an agency opens a rulemaking docket to consider rulemaking. Under the APA effective January 1, 1995, agencies must submit a Notice of Rulemaking Docket Opening before beginning the formal rulemaking process.

NOTICE OF RULEMAKING DOCKET OPENING

DEPARTMENT OF ADMINISTRATION - PERSONNEL ADMINISTRATION

1. **Title and its heading:** 2, Administration
Chapter and its heading: 5, Department of Administration - Personnel Administration
Article and its heading: 1, General
Section Numbers: R2-5-101, R2-5-102, R2-5-103, R2-5-104, R2-5-105
2. **Subject matter of the proposed rule:**
Definitions, General Provisions, Applicability, Discrimination, Personnel Records. The proposed rules establish the definitions of terms used in the Personnel Rules, establish and clarify general provisions for delegation of authority, availability of funds, conflict with federal requirements, service of notice, employee handbook and correction of errors; applicability of the personnel rules and its exceptions; discrimination; and control, access and disclosure of personnel records.
3. **A citation to all published notices relating to the proceeding:**
None published
4. **Name and address of agency personnel with whom persons may communicate regarding the rule:**
Name: Margaret Whelan, Communications/Employee Relations Specialist

Address: ADOA Human Resources
1831 W. Jefferson, Room 106
Phoenix, AZ 85007

Telephone: (602) 542-4459
Fax: (602) 542-2796
5. **The time during which the agency will accept written comments and the time and place where oral comments may be made:**
Written comments: 8:00 a.m. to 5:00 p.m., Monday through Friday
Oral comments: 8:00 a.m. to 4:00 p.m., Monday through Friday

ADOA Human Resources
1831 W. Jefferson, Room 106
Phoenix, AZ 85007
6. **A timetable for agency decisions or other action in the proceeding:**
None

NOTICE OF RULEMAKING DOCKET OPENING

STATE PERSONNEL BOARD

1. **Title and its heading:** 2, Administration
Chapter and its heading: 5.1, State Personnel Board
Article and its heading: 1, General Provisions
Section numbers: R2-5.1-101, R2-5.1-102, R2-5.1-103
2. **The subject matter of the proposed rules:**
This rulemaking will update rules for clarity and understanding, change language to conform with law and current rule-writing standards, and create a separate Section addressing the procedures for filing a prohibited personnel practice complaint.
3. **A citation to all published notices relating to the proceeding:**
Notice of Rulemaking Docket Opening: 8 A.A.R. 619, February 8, 2002

Notice of Proposed Rulemaking: 8 A.A.R. 962, March 15, 2002 (*in this issue*)

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4. The name and address of board personnel with whom persons may communicate regarding the rule:

Name: Judy Henkel, Executive Director
Address: 1400 West Washington, Suite 280
Phoenix, AZ 85007
Telephone: (602) 542-3888
Fax: (602) 542-3588

5. The time during which the board will accept written comments and the time and place where oral comments may be made:

Any person may file written comments on the proposed rulemaking with the Board contact person between 8:00 a.m. and 5:00 p.m., Monday through Friday. The Board has not scheduled oral proceedings but will do so if, within 30 days after the published notice of proposed rulemaking, a written request for an oral proceeding is submitted to the Board contact person.

6. A timetable for board decisions or other action on the proceeding, if known:

To be determined

NOTICE OF RULEMAKING DOCKET OPENING

DEPARTMENT OF AGRICULTURE - PLANT SERVICES DIVISION

1. Title and its heading:

3, Agriculture

Chapter and its heading:

4, Department of Agriculture - Plant Services Division

Article and its heading:

2, Quarantine

Section numbers:

R3-4-246

As a part of this rulemaking, the Department may add, delete or modify additional Sections as necessary.

2. The subject matter of the proposed rule:

This rulemaking will rename the rule from Fruit Fly Pests to Caribbean Fruit Fly. Outdated references to the Commission and the state entomologist will be removed, the area under quarantine will be revised, and the list of commodities covered by the rule will be reviewed and possibly amended. References to trapping and bait spray will be deleted. Language usage will be conformed to the current publication standards of the Office of the Secretary of State.

3. A citation to all published notices relating to the proceeding:

None

4. The name and address of agency personnel with whom persons may communicate regarding the rule:

Name: Sherry D. Blatner, Rules Specialist
Address: Arizona Department of Agriculture
1688 W. Adams Street, Room 235
Phoenix, AZ 85007
Telephone: (602) 542-0962
Fax: (602) 542-5420
E-mail: sherry.blatner@agric.state.az.us

5. The time during which the agency will accept written comments and the time and place where oral comments may be made:

Written comments: 8 a.m. to 5:00 p.m., Monday through Friday

Oral comments: 8 a.m. to 4:00 p.m., Monday through Friday

Arizona Department of Agriculture
1688 W. Adams Street, Room 235
Phoenix, AZ 85007

6. A timetable for agency decisions or other action on the proceeding, if known:

Unknown

NOTICE OF RULEMAKING DOCKET OPENING

STATE BOARD OF DENTAL EXAMINERS

- 1. Title and its heading:** 4, Professions and Occupations
Chapter and its heading: 11, State Board of Dental Examiners
Articles and their headings: 1, Definitions
13, General Anesthesia and Sedation
Section numbers: R4-11-101, R4-11-1301, R4-11-1302, R4-11-1303, R4-11-1304,
R4-11-1305, R4-11-1306
- 2. Subject matter of the proposed rule:**
The rule will establish the requirements for a new oral conscious sedation permit. The Board feels that a new level of practice is necessary because of national data indicating an increase in deaths due to over oral sedation. The data indicate a need for increased practitioner education and monitoring. The rule will amend the definition of "oral or rectal conscious sedation" and add three new definitions to R4-11-101. R4-11-1303, R4-11-1304, and R4-11-1305 will be renumbered and amended to R4-11-1304, R4-11-1305, and R4-11-1306. A new Section, Oral Conscious Sedation, will be placed at R4-11-1303. The new Section will establish minimum requirements for practitioner education, training, safety, and monitoring necessary to protect the public health. Citations in Sections R4-11-1301 and R4-11-1302 will be amended because of the renumbering of R4-11-1303, R4-11-1304, and R4-11-1305.
The agency docket number, if applicable: R0201
- 3. A citation to all published notices relating to the proceeding:**
None
- 4. Name and address of agency personnel with whom persons may communicate regarding the rule:**
Name: Julie N. Chapko, Executive Director
Address: Arizona State Board of Dental Examiners
5060 N. 19th Avenue, Suite 406
Phoenix, AZ 85015
Telephone: (602) 242-1492
Fax: (602) 242-1445
- 5. The time during which the agency will accept written comments and the time and place where oral comments may be made:**
The Board will accept written comments Monday through Friday, 8:00 a.m. to 5:00 p.m.
Time: Monday through Friday, 8:00 a.m. to 4:30 p.m.
Location: Arizona State Board of Dental Examiners
5060 N. 19th Avenue, Suite 406
Phoenix, AZ 85015
Nature: Oral comments
Written and oral comments will be accepted until the close of record on a date and time as yet undetermined.
- 6. A timetable for agency decisions or other action in the proceeding:**
None

NOTICE OF RULEMAKING DOCKET OPENING

DEPARTMENT OF ENVIRONMENTAL QUALITY - AIR POLLUTION CONTROL

- 1. Title and its heading:** 18, Environmental Quality
Chapter and its heading: 2, Department of Environmental Quality - Air Pollution Control
Article and its heading: 7, Existing Stationary Source Performance Standards
Section numbers: R18-2-715 and R18-2-715.01
- 2. The subject matter of the proposed rule:**
The Arizona Department of Environmental Quality will propose reductions in emission limits applicable to two copper smelters: one near Hayden in Gila County, and one in Miami, Gila County. In addition, emission limits will be deleted for other copper smelters that are no longer operating at R18-2-715(F)(3), (5), and (6). The rule will also propose changes to compliance and monitoring provisions in R18-2-715.01.

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3. A citation to all published notices relating to the proceeding:

None

4. The name and address of agency personnel with whom persons may communicate regarding the rule:

Name: Mark Lewandowski
Address: 3033 N. Central Ave., T5109B
Phoenix, AZ 85012
Telephone: (602) 207-2230
Fax: (602) 207-2366

5. The time during which the agency will accept written comments and the time and place where oral comments may be made:

To be announced in the Notice of Proposed Rulemaking

6. A timetable for agency decisions or other action on the proceeding:

To be announced in the Notice of Proposed Rulemaking